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December 21, 2010

**VIA ECF**

Honorable Robert M. Levy  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Mark Kraft, Trustee, v. Lincoln Benefit Life Company**  
**Docket No. 10-2018**  
**Our File No. 4359.2301**

Dear Judge Levy,

We represent plaintiff Mark Kraft, Trustee of the Marilyn Mandel Irrev. Trust DTD 6/12/05. We respond herewith to the December 17, 2010 letter of Andrew T. Hahn, Esq., counsel for defendant Lincoln Benefit Life Company, in regard to his request for a pre-motion conference in anticipation of filing a motion to compel against plaintiff.

The defendant addresses a number of issues in his letter but, the only real issue to be addressed in regard to plaintiff is the extent of his discovery responses. This letter is therefore limited to this issue.

Plaintiff has now responded to Defendant's First Request for the Production of Documents and First Set of Interrogatories. The 71 documents produced represent all of the responsive documents that plaintiff has in his possession. The documents were produced after considerable effort on Mr. Kraft's part to review his files and e-mails for responsive materials. There are simply no additional documents available from this source.

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As plaintiff has responded to all discovery propounded upon him, there is no need for a premotion conference as to plaintiff.

Thank you for your consideration.

Very truly yours,

SCHINDEL, FARMAN, LIPSIUS,  
GARDNER & RABINOVICH LLP



Ira S. Lipsius

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